

REMARKS

Claims 1, 2 and 4-17 are pending in this application. All of the pending claims are rejected. Claims 1 and 11 are currently amended. Reconsideration is requested.

Claims 1, 2, 4, 5, and 7-9 are rejected under 35 U.S.C. 103(a) based on US 2004/0063455 (Eran) in view of US 2004/0095942 (Lung). With regard to independent claim 1 the examiner asserts that Eran teaches converting an access point to a probe device at paragraphs 47 and 48. However, the cited paragraphs merely state that an access point forwards a probe request 40 that is generated by mobile station 24. Forwarding a probe message generated by another device is not equivalent to converting from an access point to a probe device as recited in the claims. As described in the background at page 1, line 23 through page 2, line 5, a probe device is a special-purpose device for monitoring WLAN activity and detecting problems. The recited invention helps to obviate the need for such a special-purpose device by converting an access point into a probe device. As described in the specification at page 6, lines 3-16, *converting* to a probe device means no longer functioning as an access point, at least temporarily. There is no suggestion in Eran that the access points ever cease to function as access points, and certainly not to become probe devices. The *conversion* from access point to probe device is emphasized by the limitation that stations are disassociated from the access point. In particular, *all* stations are disassociated from the access point. Since the purpose of an access point is to provide access to stations, disassociating all stations means no longer functioning as an access point. The examiner cites Lung at paragraph 17 as teaching disassociating stations from an access point. However, Lung does not do so to convert from access point to probe device. Further, Lung does not disassociate all stations from the access point, and therefore continues to function as an access point. Indeed, to disassociate all stations would contradict Lung's goal of load balancing,

which is accomplished by prohibiting *only some* associations. Claim 1 as currently amended therefore clearly distinguishes the cited combination. Claims 2, 4, 5, and 7-9 are allowable for the same reason as claim 1.

Claims 11-14 and 16 are rejected under 35 U.S.C. 103(a) based on Eran in view of Lung and further in view of US 6,856,802 (Kinnunen). Eran and Lung are distinguished for the same reasons already stated above with regard to claim 1. With regard to claim 11, the examiner asserts that Kinnunen discloses a probe device at column 5, lines 35-44. The cited passage describes testing between an access point and mobile station. However, neither device changes its function. Therefore, neither device converts into a probe device. Claims 12-14 and 16 further define the invention, and are allowable for the same reasons as claim 11. The other dependent claims, which are rejected based on various combinations of references, are also allowable for the same reasons as their respective base claims.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited. Should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Applicants' Attorney at the number listed below so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

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Date

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